Mr. Robert M. Gates, Director
Central Intelligence Agency,
Washington, D.C. 20505

2/24/92

Dear Mr. Gates,

If you and those under you intend the "real shift on the CIA's part toward greater openness and sense of public responsibility," which I think would be good for us all, especially the CIA and its employees and their families, you do not have to await any approval and can begin with files not classified and those improperly classified relating to the JFK assassination and its investigations.

Most agency heads never see most of the mail addressed to them, in part because the volume is too great and in part because those under them sometimes want some of the mail not to reach them. I hope this will be an exception, although the past gives no reason for such a hope.

The first of my seven books on our political assassinations was the first on the Warren Report. I am alone among those generally lumped together as "critics" in not espousing any theory as a solution to the crime. I am also alone among critics in having, on justified occasion, ~~in~~ defending the FBI and the CIA against unjustified criticism. As the most recent example it is I, not those imagined "CIA reporters" Oliver Stone said were "recipied" to wreck his ~~movie~~ movie exploiting and commercializing the JFK assassination, who began the exposure in the belief that the story would carry itself, as it did. This began, if the CIA is interested, when I wrote him last February 8 at length and in detail about Jim Garrison, with whom I'd had considerable experience. I told him, in summary, that he could not, as he'd promised, record their history for the people, telling them who killed the President, why and how. When he did not respond I gave George Lardner a copy of the script and those of my records relating to Garrison and an investigation I had conducted that blocked his planned commemoration of the fifth anniversary of the JFK assassination by ~~a~~ charging two innocent men with being CIA Grassy Knoll assassins. (One had killed himself the year before that assassination.) So, Garrison saved his face by falsely alleging that former CIA employee William Wood, who ~~w~~ used the name "Boxley," had been infiltrated by the CIA to ruin his alleged "probe." This concoction is in Garrison's book and was in the script I gave Lardner.

I did not begin with any prejudice against intelligence. I'd served in the OSS and I've always believed that an efficient intelligence agency is a necessity in the world in which we live.

As among many, the D.C. federal appeals court has stated, interest in the JFK assassination is never going to end. Agencies like the CIA and the FBI have more than earned the bad names they have in their behavior and their obdurate violation of the FOIA as well as all reasonable concepts of openness in a democratic society. This bad behavior includes the felony of perjury, repeatedly. There is nothing any agency can now do to wipe that out.

It is the record they have made for themselves and our history does and will record it.

To the degree it was possible for me I undertook to see to it that this would be clear in the historical record and I did it largely in court records, where it is unrefuted. I distributed copies of these records widely. Scholars of the future will not have to depend on access to the court's records some of which, relating to the CIA, have already disappeared from the court files in which they were and belonged.

If your statement of four days ago is to be anything other than another public-relations ploy you and those under you can and should begin with open admissions of the CIA's past errors. This does not require declassification of some records. It requires only honesty. There are other records that were and are classified improperly. Disclosure of these withheld records does not require any Congressional or other action. It requires only that you and those under you intend what you promised.

I am nearing 79 and from a series of complications following surgeries am and have been limited in what I am able to do. I can't, for example, now take you to court. But I can offer you the opportunity to give your promise meaning other than the good public relations you got from your statement. The record of the past indicates that this will be temporary only without meaningful implementation.

FOIA was amended, rather, the investigatory-files exemption was, in 1974, over FBI dishonesty in one of my earliest FOIA cases. Before then I requested of the Agency its records on and about me. Components lied to the general counsel when he asked them about their records and he in turn lied to me and my lawyers in writing and in person. From recollection, the Office of Security prepared a memo admitting that it has two files on me, or did as of about 1970, and then withheld that memo from Larry Houston. I have a copy of it. I have other proofs of CIA records on me that it continues to withhold improperly.

I filed a number of proper FOIA requests that were merely stonewalled. You merely ignored them and then claimed time had run on them. Even though I had appealed them and the appeals were ignored.

Then one of the dirtiest tricks of all was sending me, without compliance with your own regulations, a great volume of records I did not ask for and could not use. The CIA refused to accept their return and it proceeded to use this false claim that I owe it money as the spurious basis for noncompliance with all my requests.

We are none of us Merlins, who can remember the future. I do not pretend to forecast the future. But I do tell you what I have and have distributed copies of a prima facie case of CIA interference with my publishing and monitoring of me and what I said and did. This includes copies of CIA records it did not disclose to me, along with the names of CIA employees involved in all of this. Some achieved their own notoriety.

Our history and that of the CIA in particular forever records that when Helms spoke to the publishers' association years ago and said the Agency did not target Americans, he

knew he was lying and he knew he was violating the law to do precisely what he said he was not doing. He accomplished an immediate purpose with this rather large lie but in the end his reputation and the CIA's suffered for it and it did the country no good and much harm, the CIA in particular.

After your statement of last week you and the CIA are in a comparable if not identical situation. You have gotten a favorable press and your indicated means of not doing what you said you intend escaped any notice of which I am aware.

I am giving you and the CIA the opportunity to begin to make good on your word in asking that you cleanse the record with me and disclose what was for several decades and remains improperly withheld from me.

Those under you can again prevent my letter from reaching the office of the Director or, if it does, it can be rejected.

However, I do hope that what I ask will be considered in good faith and complied with. While there may be some temporary embarrassment from it, I think that on balance it will be good for the CIA and for the country.

Although I am confident that given CIA good intentions no cooperation from me is necessary, I am prepared to cooperate to the degree now possible for me.

While there is nothing in the past to encourage hope that those under you or you will want to use this opportunity to give your fine words meaning, I do offer the opportunity and I do hope that the CIA will use this opportunity to at least begin undoing the past to the degree now possible with " a real shift toward greater openness and of public responsibility."

Sincerely,

Harold Weisberg

Harold Weisberg